

CODE OF CONDUCT POLICY

Mandatory – Quality Area 4

PURPOSE

This policy provides guidelines to enable Elsa Macleod Kindergarten to:

- establish the expected standards of behaviour for the Approved Provider, Nominated Supervisor, staff, contractors, volunteers, students on placement, parents/guardians and visitors
- create and maintain a child safe environment that reflects the philosophy, beliefs, objectives and values of Elsa Macleod Kindergarten
- promote desirable and appropriate behaviour
- promote interactions at the service which are respectful, honest, courteous, sensitive, tactful and considerate.

POLICY STATEMENT

1. VALUES

Elsa Macleod Kindergarten:

- respects the rights of the child and values diversity
- acknowledges the vulnerability of Aboriginal children, children from a culturally and linguistically diverse background and children with a disability and has zero tolerance of discrimination
- maintains a duty of care (refer to *Definitions*) towards all children at the service
- is committed to the safety and wellbeing of each child at the service
- is committed to the safety and wellbeing of all staff at the service
- provides a safe and secure environment for all at the service
- provides an open, welcoming environment in which everyone's contribution is valued and respected
- is committed to communicating openly and honestly
- is committed to continually learning how to be inclusive and respectful of cultural needs
- encourages volunteers, students, parents/guardians and visitors to support and participate in the program and activities of the service.

2. SCOPE

This policy applies to the Approved Provider, Nominated Supervisor, staff, contractors, volunteers, students on placement, parents/guardians and visitors attending the programs and activities of Elsa Macleod Kindergarten.

3. BACKGROUND AND LEGISLATION

Background

Codes of conduct establish standards of behaviour to be followed and define how individuals are expected to behave towards each other, towards the children in their care, and towards other organisations and individuals in the community.

The Approved Provider, Nominated Supervisor and staff have a duty of care to the children attending the service and must ensure 'that every reasonable precaution is taken to protect children being educated and cared for by the service from harm and from any hazard likely to cause injury' (National Law: Section 167).

The *National Quality Standard* requires that staff are respectful and ethical and that 'professional standards guide practice, interactions and relationships' (*National Quality Standard: 4.2 and 4.2.1*).

Employers also have a legal responsibility to provide, as far as is practicable, a safe workplace that is free from discrimination, bullying and harassment.

Child Safe Standard 3 requires services to develop and review codes of conduct that establish clear expectations for appropriate behaviour with children including:

- how to respond to risks adults may pose to children or that children may pose to each other
- how to ensure the cultural safety of Aboriginal children and culturally and linguistically diverse children
- how to be inclusive of all children, including children with a disability.

A Code of Conduct should be informed by the service's philosophy, beliefs and values, and based on ethical principles of mutual respect, equity and fairness. Consideration should be given to the Victorian Teaching Profession *Code of Conduct and the Code of Ethics* and to the Early Childhood Australia's *Code of Ethics* in developing the code of conduct.

The Approved Provider must ensure that the Nominated Supervisor, staff, contractors, volunteers, students on placement, parents/guardians, children and others attending the programs and activities of Elsa Macleod Kindergarten adhere to the expectations outlined in the Code of Conduct when communicating to and interacting with:

- children at the service and their parents and family members
- each other
- others in the community.

Legislation and standards

Relevant legislation and standards include but are not limited to:

- *Charter of Human Rights and Responsibilities Act 2006* (Vic)
- Child Safe Standards (Vic)
- *Children, Youth and Families Act 2005* (Vic)
- *Child Wellbeing and Safety Act 2005* (Vic)
- *Disability Discrimination Act 1992* (Cth)
- *Education and Care Services National Law Act 2010*: Sections 166, 167, 174
- *Education and Care Services National Regulations 2011*: Regulations 155, 156, 157, 175
- *Equal Opportunity Act 2010* (Vic)
- *Fair Work Act 2009* (Cth)
- Fair Work Regulations 2009 (Cth)
- National Quality Standard, Quality Area 4: Staffing Arrangements
 - Standard 4.2: Educators, coordinators and staff members are respectful and ethical
 - Element 4.2.1: Professional standards guide practice, interactions and relationships
- *Occupational Health and Safety Act 2004*
- *Occupational Health and Safety Regulations 2007*
- *Racial Discrimination Act 1975*
- *Racial and Religious Tolerance Act 2001* (Vic)
- *Sex Discrimination Act 1984* (Cth)
- Victorian Institute of Teaching *The Victorian Teaching Profession Code of Conduct*
- Victorian Institute of Teaching *The Victorian Teaching Profession Code of Ethics*

The most current amendments to listed legislation can be found at:

- Victorian Legislation – Victorian Law Today: <http://www.legislation.vic.gov.au>
- Commonwealth Legislation – Federal Register of Legislation: <https://www.legislation.gov.au/>

4. DEFINITIONS

The terms defined in this section relate specifically to this policy. For commonly used terms e.g. Approved Provider, Nominated Supervisor, Regulatory Authority etc. refer to the *General Definitions* section of this manual.

Bullying: Repeated verbal, physical, social or psychological behaviour that is harmful and involves the misuse of power by an individual or group towards one or more persons. Bullying occurs when one or more people deliberately and repeatedly upset or hurt another person, damage their property, reputation or social acceptance.

Duty of care: A common law concept that refers to the responsibilities of organisations to provide people with an adequate level of protection against harm and all reasonable foreseeable risk of injury.

Ethical conduct: Behaviour which reflects values or a code of conduct.

Harassment: When someone is demeaning, derogatory or intimidating towards another person. Harassment includes:

- racial taunts
- taunts about sexual orientation or gender identity
- sexual harassment: unwelcome physical, verbal or written behaviour of a sexual nature
- repeated insulting remarks.

Investigator: A person/staff member assigned or organization engaged with the responsibility of investigating suspected breaches of the Code of Conduct by the Approved Provider.

Notifiable complaint: A complaint that alleges a breach of the Education and Care Services National Act or Regulation, or alleges that the health, safety or wellbeing of a child at the service may have been compromised. Any complaint of this nature must be reported by the Approved Provider to the secretary of DET within 24 hours of the complaint being made (Section 174(2)(b), Regulation 176(2)(b)). Written reports to DET must include:

- details of the event or incident
- the name of the person who initially made the complaint
- if appropriate, the name of the child concerned and the condition of the child, including a medical or incident report (where relevant)
- contact details of a nominated member of the Grievances Subcommittee/investigator
- any other relevant information.

Written notification of complaints must be submitted via the National Quality Agenda IT system (NQAITs): <http://www.acecqa.gov.au/national-quality-agenda-it-system>. If the Approved Provider is unsure whether the matter is a notifiable complaint, it is good practice to contact DET for confirmation.

Respect: Demonstrating regard for the rights of individuals, for different values and points of views.

Serious incident: A serious incident is defined as (regulation 12):

- the death of a child -
 - while being cared for by an education and care service; or
 - following an incident while being educated and cared for by an education and care service
- any incident involving serious injury or trauma to, or illness of, a child while being educated and cared for by an education and care service -
 - which a reasonable person would consider required urgent medical attention from a registered medical practitioner (examples include broken limbs or anaphylaxis reaction) attention of a registered medical practitioner; or
 - for which the child attended, or ought reasonably to have attended a hospital.

- any incident where the attendance by emergency services at the education and care service premises was sought, or ought reasonably to have been sought
- any circumstances where a child being educated and cared for by an education and care service appears to be missing or cannot be accounted for;
 - appears to have been taken or removed from the education and care services premises in a manner that contravenes National Regulations;
 - is mistakenly locked in or locked out of the education and care service premises or any part of the premises.

The Regulatory Authority must be notified of a serious incident (section 174(2)(a)) **in writing in the case of:**

- the death of a child, as soon as practicable but within 24 hours of the death, or the time that the person becomes aware of the death
- any other serious incident, within 24 hours of the incident or the time that the person becomes aware of the incident

Written notification of serious incidents must be submitted via the ACECQA portal using the appropriate forms at <http://acecqa.gov.au/notifications>.

Support: Work in a co-operative and positive manner.

5. SOURCES AND RELATED POLICIES

Sources

- Early Childhood Australia, *Code of Ethics*: www.earlychildhoodaustralia.org.au
- United Nations, *The Universal Declaration of Human Rights*: <http://www.un.org/en/universal-declaration-human-rights/>
- United Nations, *Convention on The Rights of the Child*: <http://www.unicef.org/crc/>
- Victoria Legal Aid: www.legalaid.vic.gov.au
- Victorian Institute of Teaching – The Victorian Teaching Profession Code of Conduct and Code of Ethics: <http://www.vit.vic.edu.au>

Related policies

- *Child Safe (formerly Child Protection) Policy*
- *Complaints and Grievances Policy*
- *Delivery and Collection of Children Policy*
- *Interactions with Children Policy*
- *Occupational Health and Safety Policy*
- *Privacy and Confidentiality Policy*
- *Relaxation and Sleep Policy*
- *Staffing Policy*

RESPONSIBILITIES

The Approved Provider is responsible for:

- providing a safe environment for staff, contractors, volunteers, students on placement, parents/guardians, children and others attending the programs and activities of Elsa Macleod Kindergarten
- providing guidance through leadership and by being a positive role model
- developing and updating/ reviewing codes of conduct for Elsa Macleod Kindergarten in collaboration with the Nominated Supervisor, staff, parents/guardians, children and others involved with the service (refer to Attachments 1 and 3)

- ensuring that staff, volunteers, students and parents/guardians are provided with a copy of this policy on employment, engagement or enrolment at the service and that the current codes of conduct are publicly displayed and promoted to everyone including contractors and visitors
- ensuring that staff complete and sign the *Code of Conduct Acknowledgement* (refer to Attachment 2) and that these are filed with individual staff records upon engagement in the service
- ensuring that the codes of conduct are regularly discussed at staff meetings to reinforce expectations
- developing a culture of accountability within the service for complying with the code(s) of conduct and being prepared to respond when behavioural expectations are not adhered to
- ensuring that all children being educated and cared for at Elsa Macleod Kindergarten are protected from harm and any hazard likely to cause injury (National Law: Section 167) and that the children know who to speak to about any concerns and that their concerns are followed-up
- working with the Nominated Supervisor, staff, students, volunteers, parents/guardians and others at the service to provide an environment that encourages positive interactions, supports constructive feedback and holds one another to the codes of conduct
- ensuring that parents/guardians of a child attending the service can enter the service premises at any time that the child is being educated and cared for, except where this may pose a risk to the safety of children or staff, or conflict with any duty of care of the Approved Provider, Nominated Supervisor or educators under the Law (Regulation 157)
- ensuring that contractors, volunteers, parent/guardians, students or visitors at the service are not placed in a situation where they are left alone with a child
- respecting individual abilities, needs, cultural practices and beliefs in all interactions, both verbal and non-verbal
- notifying DET in writing within 24 hours of a serious incident (refer to *Definitions*) or of a notifiable complaint (refer to *Definitions*) at the service (National Law: Sections 174(2)(b) and 174(4), National Regulations: Regulations 175(2)(c) and 176(2)(b)) via the NQAITS
- referring notifiable complaints (refer to *Definitions*), grievances or complaints that are unable to be resolved appropriately and in a timely manner to the Grievances Subcommittee/investigator (refer to *Complaints and Grievances Policy*)
- activating the *Complaints and Grievances Policy* on notification of a breach of the *Code of Conduct Policy*
- taking appropriate disciplinary or legal action, or reviewing the terms of employment in the event of misconduct or a serious breach of the *Code of Conduct Policy*
- contacting Police in an emergency situation where it is believed that there is an immediate risk, such as when violence has been threatened or perpetrated or where sexual abuse or grooming is suspected as outlined in the *Child Safe (formerly Child Protection) Policy*.

The Nominated Supervisor is responsible for:

- ensuring that the children educated and cared for at Elsa Macleod Kindergarten are protected from harm and from any hazard likely to cause injury (National Law: Section 167)
- providing guidance through their leadership and by being a positive role model
- assisting the Approved Provider to develop codes of conduct for staff and parents/guardians, students, contractors, volunteers and visitors (refer to Attachments 1 and 3 for samples)
- completing and signing the *Code of Conduct Acknowledgement* for staff (refer to Attachment 2)
- adhering to the Code of Conduct for staff at all times
- informing the Approved Provider in the event of a serious incident (refer to *Definitions*), of a notifiable complaint (refer to *Definitions*) or of a breach of the *Code of Conduct Policy*
- contacting Police in an emergency situation where it is believed that there is an immediate risk, such as when violence has been threatened or perpetrated, or where sexual abuse or grooming is suspected as outlined in the *Child Safe (formerly Child Protection) Policy*

- working with the Approved Provider, staff, students, volunteers, parents/guardians and others at the service to provide an environment that encourages positive interactions, supports constructive feedback and holds one another to the codes of conduct
- ensuring that parents/guardians, students and volunteers sign the code of conduct (refer to Attachment 4)
- ensuring that parents/guardians of a child attending the service can enter the service premises at any time that the child is being educated and cared for, except where this may pose a risk to the safety of children or staff, or conflict with any duty of care of the Approved Provider, Nominated Supervisor or educators under the Law (Regulation 157)
- developing practices and procedures to ensure that parent/guardians, students, contractors, volunteers or visitors at the service, are not placed in a situation where they are left alone with a child
- respecting individual abilities, needs, cultural practices and beliefs in all interactions, both verbal and non-verbal
- understanding and accepting that serious breaches of this code will be deemed misconduct and may lead to disciplinary or legal action, or a review of their employment.

All staff are responsible for:

- assisting the Approved Provider to develop a code of conduct for staff (refer to Attachment 1)
- completing and signing the *Code of Conduct Acknowledgement* (refer to Attachment 2)
- adhering to the code of conduct for staff (refer to Attachment 1) at all times
- providing guidance to students, volunteers, parents/guardians, students and visitors through positive role modelling and, when appropriate, clear and respectful directions
- working with the Approved Provider, Nominated Supervisor, their colleagues, students, volunteers, parents/guardians and others at the service to provide an environment that encourages positive interactions, supports constructive feedback and holds one another to the codes of conduct
- ensuring that parents/guardians, students, contractors, volunteers and visitors at the service are not placed in a situation where they are left alone with a child
- informing the Approved Provider in the event of a serious incident (refer to *Definitions*), of a notifiable complaint (refer to *Definitions*) or of a breach of the *Code of Conduct Policy*
- contacting Police in an emergency situation where it is believed that there is an immediate risk, such as when violence has been threatened or perpetrated or where sexual abuse or grooming is suspected as outlined in the *Child Safe (formerly Child Protection) Policy*.
- respecting individual abilities, needs, cultural practices and beliefs in all interactions, both verbal and non-verbal
- understanding and accepting that serious breaches of this code will be deemed misconduct and may lead to disciplinary or legal action, or a review of their employment.

Parents/guardians are responsible for:

- reading the *Code of Conduct Policy*
- completing and signing the Code of Conduct for parents/guardians (refer to Attachments 3 and 4)
- abiding by the Code of Conduct for parents/guardians
- complying with all policies of the service.

Students, contractors, volunteers and visitors while at the service, are responsible for following this policy and its procedures.

EVALUATION

In order to assess whether the values and purposes of the policy have been achieved, the Approved Provider will:

- regularly seek feedback from everyone affected by the policy regarding its effectiveness

- monitor the implementation, compliance, complaints and incidents in relation to this policy
- assess whether a satisfactory resolution has been achieved in relation to issues arising from this policy
- keep the policy up to date with current legislation, research, policy and best practice
- revise the policy and procedures as part of the service's policy review cycle, or as required
- notify parents/guardians at least 14 days before making any changes to this policy or its procedures.

ATTACHMENTS

- Attachment 1: Code of Conduct for Approved Provider, Nominated Supervisor and all staff
- Attachment 2: Code of Conduct Acknowledgement for staff
- Attachment 3: Code of Conduct for parents/guardians, students, contractors and volunteers
- Attachment 4: Code of Conduct Acknowledgement for parents/guardians, students, contractors and volunteers

AUTHORISATION

This policy was adopted by the Approved Provider of Elsa Macleod Kindergarten in October 2017.

REVIEW DATE: FEBRUARY 2019

ATTACHMENT 1

Code of conduct for the Approved Provider, Nominated Supervisor and all staff¹

The Approved Provider, Nominated Supervisor and all staff at Elsa Macleod Kindergarten are responsible for promoting the safety and wellbeing of children and their families by:

- welcoming all children and their families and being inclusive
- treating everyone with respect, including listening to and valuing their ideas and opinions
- contributing to a culture of child safety
- adhering to the *Child Safe (formerly Child Protection) Policy* and all other policies
- taking all reasonable steps to protect children from abuse
- respecting the privacy of children and their families, and only disclosing information to people who have a need to know as required under the *Privacy and Confidentiality Policy*
- reporting and acting on any breaches of this Code of Conduct, complaints or concerns.

Professional responsibilities

The Approved Provider, Nominated Supervisor and all staff demonstrate our commitment to our professional responsibilities by:

- undertaking duties in a competent, timely and responsible way
- ensuring our knowledge and expertise is up to date and relevant to our roles
- being aware of the role of other professionals and agencies and working collaboratively and within the limits of our professional expertise
- understanding and complying with legal obligations in relation to:
 - discrimination, harassment and vilification
 - negligence
 - grooming
 - disclosure of child sexual abuse
 - protection of a child from child sexual abuse
 - mandatory reporting
 - privacy and confidentiality
 - occupational health and safety, including emergency evaluation procedures
 - raising any complaints or grievances in accordance with the Complaints and Grievances Policy
 - maintaining teacher registration and Working with Children checks as applicable.
- raising any complaints or grievances in accordance with the *Complaints and Grievances Policy*.

Relationships with children

The Approved Provider, Nominated Supervisor and all staff at Elsa Macleod Kindergarten demonstrate our commitment to high-quality education and care for children by:

- encouraging children to express themselves and their opinions
- allowing children to undertake experiences that develop self-reliance and self-esteem
- maintaining a safe environment for children
- being a positive role model at all times
- speaking to children in an encouraging and positive manner

¹ This attachment was informed by the Victorian Institute of Teaching's *The Victorian Teaching Profession Code of Conduct* and *A Guide for Creating A Child Safe Organisation*, available from the Commission for Children and Young People (refer to *Sources*)

- giving each child positive guidance and encouraging appropriate behaviour
- providing opportunities for children to interact and develop respectful and positive relationships with each other, and with other staff members and volunteers at the service
- regarding all children equally, and with respect and dignity
- having regard to their cultural values and supporting them to express their culture
- respecting individual difference including age, physical and intellectual development, and catering for the abilities of each child at the service
- working with children in an open and transparent way by informing other staff about the work being done with children
- encouraging and assisting children to undertake activities of a personal nature for themselves e.g. toileting and changing clothes
- informing children if physical contact is required for any purpose, asking them if they are comfortable with this interaction and complying with the *Interactions with Children policy*.

Relationships with parents/guardians and families

In our relationships with parents/guardians and families, the Approved Provider, Nominated Supervisor and all staff demonstrate our commitment to collaboration by:

- working collaboratively with parents/guardians and families
- considering the perspective of parents/guardians and families when making decisions that impact on the education and care of their child
- communicating with parents/guardians and families in a timely and sensitive manner
- responding to concerns expressed by parents/guardians and families in a timely and appropriate manner.

Relationships with employer and between colleagues

In relationships with the Approved Provider, Nominated Supervisor and between colleagues, staff demonstrate collegiality by:

- encouraging others to act in accordance with this Code of Conduct and taking action when they observe behaviours which are outside of the Code of Conduct
- developing relationships based on mutual respect, equity and fairness
- working in partnership in a courteous, respectful and encouraging manner
- valuing the input of others
- sharing expertise and knowledge in appropriate forums, and in a considered manner
- respecting the rights of others as individuals
- giving encouraging and constructive feedback, and respecting the value of different professional approaches
- being prepared to have difficult conversations and use constructive processes to address differences of opinion.

ATTACHMENT 2

Code of Conduct Policy Acknowledgement for staff

I hereby acknowledge that on [Date], I received a copy of the *Code of Conduct Policy* for Elsa Macleod Kindergarten.

I have read the policy and I understand its contents.

I commit to abiding by the Code of Conduct and fulfilling my responsibilities as outlined in this policy whilst working at Elsa Macleod Kindergarten.

I understand that the Approved Provider will address any breach of this policy, and that any *serious* breach could lead to disciplinary or legal action.

Signature

Name (please print)

Date

Witness signature

Name (please print)

Date

Thank you for your contribution to making Elsa Macleod Kindergarten an open, safe, welcoming and friendly environment.

ATTACHMENT 3

Code of conduct for parents/guardians, students, volunteers, contractors and visitors

I commit to contributing to creating an environment at Elsa Macleod Kindergarten that:

- respects the rights of the child and values diversity
- acknowledges the vulnerability of Aboriginal children, children from a culturally and linguistically diverse background and children with a disability and has zero tolerance of discrimination
- maintains a duty of care (refer to *Definitions*) towards all children at the service
- is committed to the safety and wellbeing of each child at the service
- is committed to the safety and wellbeing of all staff at the service
- provides a safe and secure environment for all at the service
- provides an open, welcoming environment in which everyone's contribution is valued and respected
- is committed to communicating openly and honestly
- is committed to continually learning how to be inclusive and respectful of cultural needs
- encourages parents/guardians, volunteers, students and community members to support and participate in the program and activities of the service.

Relationships with children

In our relationships with children, I commit to:

- being a positive role model at all times
- encouraging children to express themselves and their opinions
- allowing children to undertake experiences that develop self-reliance and self-esteem
- maintaining a safe environment for children
- speaking to children in an encouraging and positive manner
- giving each child positive guidance and encouraging appropriate behaviour
- regarding all children equally, and with respect and dignity
- having regard to each child's cultural values
- respecting individual difference including age, physical and intellectual development, and catering for the abilities of each child at the service.

Relationships with the Approved Provider, Nominated Supervisor, staff and others

In my relationships with the Approved Provider, Nominated Supervisor, staff, other parents/guardians, volunteers and visitors I commit to:

- reading and abiding by the *Code of Conduct Policy*
- developing relationships based on mutual respect
- working in partnership in a courteous, respectful and encouraging manner
- valuing the input of others
- sharing our expertise and knowledge in a considered manner
- respecting the rights of others as individuals
- giving encouraging and constructive feedback, and respecting the value of different professional approaches
- respecting the privacy of children and their families and only disclosing information to people who have a need to know as required under the *Privacy and Confidentiality Policy*
- following the directions of staff at all times
- treating the kindergarten environment with respect

- raising any concerns, including concerns about safety, as soon as possible with staff to ensure that they can be resolved efficiently
- raising any complaints or grievances in accordance with the *Complaints and Grievances Policy*.

ATTACHMENT 4

Code of Conduct Policy Acknowledgement for parents/guardians, students, contractors and volunteers

I hereby acknowledge that on [Date], I received a copy of the *Code of Conduct Policy* for Elsa Macleod Kindergarten.

I have read this policy and understand its contents. I commit to abiding by the Code of Conduct and fulfilling my responsibilities as outlined in this policy whilst my child is attending Elsa Macleod Kindergarten.

I agree to abide by the values, principles and practices set out within.

I understand that a breach of the Code of Conduct may lead to limitations being placed on my attendance at the service.

| | | |
|-------------------|---------------------|-------|
| _____ | _____ | _____ |
| Signature | Name (please print) | Date |
| _____ | _____ | _____ |
| Witness signature | Name (please print) | Date |

Thank you for your contribution to making Elsa Macleod Kindergarten an open, safe, welcoming and friendly environment.



VISION

Professionals who adhere to this Code of Ethics act in the best interests of all children and work collectively to ensure that every child is thriving and learning.

PREAMBLE

Early Childhood Australia recognises that Aboriginal and Torres Strait Islander people have been nurturing and teaching children on this land for thousands of years. The *Code of Ethics* acknowledges Aboriginal and Torres Strait Islander traditional ways of being and caring for children.

This *Code of Ethics* is informed by the principles in the *United Nations Convention on the Rights of the Child* (1991) and the *Declaration on the Rights of Indigenous Peoples* (2007). A Code of Ethics is an aspirational framework for reflection about the ethical responsibilities of childhood professionals who work with, or on behalf, of children and their families. In this *Code of Ethics* the protection and wellbeing of children is paramount and therefore speaking out or taking action in the presence of unethical practice is an essential professional responsibility.

Being ethical involves thinking about everyday actions and decision making, either individually or collectively, and responding with respect to all concerned. The *Code of Ethics* recognises that childhood professionals are in a unique position of trust and influence in their relationships with children, families, colleagues and the community, therefore professional accountability is vital.

CORE PRINCIPLES

The core principles in this *Code of Ethics* are based on the fundamental and prized values of the profession. They act to guide decision making in relation to ethical responsibilities. These core principles require a commitment to respect and maintain the rights and dignity of children, families, colleagues and communities.

- Each child has unique interests and strengths and the capacity to contribute to their communities.
- Children are citizens from birth with civil, cultural, linguistic, social and economic rights.
- Effective learning and teaching is characterised by professional decisions that draw on specialised knowledge and multiple perspectives.
- Partnerships with families and communities support shared responsibility for children's learning, development and wellbeing.
- Democratic, fair and inclusive practices promote equity and a strong sense of belonging.
- Respectful, responsive and reciprocal relationships are central to children's education and care.
- Play and leisure are essential for children's learning, development and wellbeing.
- Research, inquiry and practice-based evidence inform quality education and care.



DEFINITIONS OF TERMS IN ECA'S CODE OF ETHICS

A CODE OF ETHICS—defines the core aspirational values of the profession and provides guidance for professional decision making especially when there are conflicting obligations or responsibilities.

CORE PRINCIPLES—fundamental and prized values of the profession.

FAMILIES—the people who have significant care responsibilities for and/or kinship relationships with a child.

CHILDHOOD PROFESSIONAL—a person who works with or on behalf of children and families in education and care settings.

COMMUNITIES—a group of people living in the same place or having a particular characteristic in common.

COLLEAGUES—includes employers and those with whom you work directly or more broadly.

STUDENT—a person undertaking study at a secondary or tertiary institution.

ACKNOWLEDGEMENT

The first *Code of Ethics* for the Australian early childhood profession was developed in 1988; it was widely cited and used for 19 years. The first review of the *Code of Ethics* began in 2003 with the second version launched in 2007. The second review of the *Code of Ethics* began in 2014 with the third (current) version approved by the ECA National Board in February 2016.

ECA is grateful to everyone who has contributed to the development and ongoing review of the *Code of Ethics* including those who have participated in consultation surveys, forums and workshops over the years as well as those who have provided advice and oversight through their service on reference and advisory groups. We would particularly like to acknowledge those engaged in writing each version of the Code.



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Code of Ethics



Early Childhood Australia
A voice for young children



IN RELATION TO CHILDREN, I WILL:

- act in the best interests of all children
- create and maintain safe, healthy, inclusive environments that support children's agency and enhance their learning
- provide a meaningful curriculum to enrich children's learning, balancing child and educator initiated experiences
- understand and be able to explain to others how play and leisure enhance children's learning, development and wellbeing
- ensure childhood is a time for being in the here and now and not solely about preparation for the future
- collaborate with children as global citizens in learning about our shared responsibilities to the environment and humanity
- value the relationship between children and their families and enhance these relationships through my practice
- ensure that children are not discriminated against on the basis of gender, sexuality, age, ability, economic status, family structure, lifestyle, ethnicity, religion, language, culture, or national origin
- negotiate children's participation in research, by taking into account their safety, privacy, levels of fatigue and interest
- respect children as capable learners by including their perspectives in teaching, learning and assessment
- safeguard the security of information and documentation about children, particularly when shared on digital platforms.



IN RELATION TO COLLEAGUES, I WILL:

- encourage others to adopt and act in accordance with this Code, and take action in the presence of unethical behaviours
- build a spirit of collegiality and professionalism through collaborative relationships based on trust, respect and honesty
- acknowledge and support the diverse strengths and experiences of colleagues in order to build shared professional knowledge, understanding and skills
- use constructive processes to address differences of opinion in order to negotiate shared perspectives and actions
- participate in a 'lively culture of professional inquiry' to support continuous improvement
- implement strategies that support and mentor colleagues to make positive contributions to the profession
- maintain ethical relationships in my online interactions.



IN RELATION TO THE PROFESSION, I WILL:

- base my work on research, theories, content knowledge, practice evidence and my understanding of the children and families with whom I work
- take responsibility for articulating my professional values, knowledge and practice and the positive contribution our profession makes to society
- engage in critical reflection, ongoing professional learning and support research that builds my knowledge and that of the profession
- work within the scope of my professional role and avoid misrepresentation of my professional competence and qualifications
- encourage qualities and practices of ethical leadership within the profession
- model quality practice and provide constructive feedback and assessment for students as aspiring professionals
- mentor new graduates by supporting their induction into the profession
- advocate for my profession and the provision of quality education and care.



IN RELATION TO FAMILIES, I WILL:

- support families as children's first and most important teacher and respect their right to make decisions about their children
- listen to and learn with families and engage in shared decision making, planning and assessment practices in relation to children's learning, development and wellbeing
- develop respectful relationships based on open communication with the aim of encouraging families' engagement and to build a strong sense of belonging
- learn about, respect and respond to the uniqueness of each family, their circumstances, culture, family structure, customs, language, beliefs and kinship systems
- respect families' right to privacy and maintain confidentiality.



IN RELATION TO COMMUNITY AND SOCIETY, I WILL:

- learn about local community contexts and aspirations in order to create responsive programs to enhance children's learning, development and wellbeing
- collaborate with people, services and agencies to develop shared understandings and actions that support children and families
- use research and practice-based evidence to advocate for a society where all children have access to quality education and care
- promote the value of children's contribution as citizens to the development of strong communities
- work to promote increased appreciation of the importance of childhood including how children learn and develop, in order to inform programs and systems of assessment that benefit children
- advocate for the development and implementation of laws and policies that promote the rights and best interests of children and families.



The Victorian Teaching Profession Code of Conduct



The Code of Conduct has been developed for and by the Victorian teaching profession; it identifies a set of principles, which describe the professional conduct, personal conduct and professional competence expected of a teacher by their colleagues and the community.

It is based on the values set out in the accompanying Code of Ethics - **integrity, respect** and **responsibility** - and draws on the Australian Professional Standards for Teachers as well as codes of conduct for teachers and early childhood teachers developed by other registration and education authorities.

The Code of Conduct applies to all teachers and early childhood teachers registered with the Victorian Institute of Teaching.

PURPOSE

The Code of Conduct codifies what is already common practice within the teaching profession.

Its purpose is to

- promote adherence to the values teachers see as underpinning their profession
- provide a set of principles to guide teachers in their everyday conduct and assist them to solve ethical dilemmas
- affirm the public accountability of the teaching profession
- promote public confidence in the teaching profession.

The Code of Conduct is not a disciplinary tool, nor will it cover every situation. There may be policies or procedures set down by a sector or education setting in which a teacher works, or there may be specific issues covered by an industrial agreement or award.



Section 1

Professional conduct

Teachers' professional conduct is characterised by the quality of the relationships they have with their learners, the parents / carers of their learners, and families, communities and their colleagues.

RELATIONSHIPS WITH LEARNERS

PRINCIPLE 1.1 TEACHERS PROVIDE OPPORTUNITIES FOR ALL LEARNERS TO LEARN

The main focus of teaching is the learning of those being taught. Teachers demonstrate their commitment to learning by

- knowing their learners well, respecting individual differences and catering for individual abilities
- maintaining a safe and challenging learning environment
- accepting professional responsibility for the provision of quality teaching
- having high expectations of every learner, and recognising and developing individual's abilities, skills and talents
- considering all viewpoints fairly
- communicating well and appropriately with their learners.

PRINCIPLE 1.2 TEACHERS TREAT THEIR LEARNERS WITH COURTESY AND DIGNITY

Teachers

- work to create an environment which promotes mutual respect
- model and engage in respectful and impartial language
- protect learners from intimidation, embarrassment, humiliation or harm
- enhance learner autonomy and sense of self worth, and encourage learners to develop and reflect on their own values
- respect a learner's privacy in sensitive matters, such as health or family problems, and only reveal confidential matters when appropriate

That is

- if the learner has consented to the information being used in a certain way
- to prevent or lessen a serious threat to life, health, safety or welfare of a person (including the learner)
- as part of an investigation into unlawful activity
- if the disclosure is required or mandated by law
- to prevent a crime or enforce the law
- refrain from discussing learners' personal problems in situations where the information will not be treated confidentially
- use consequences commensurate with the offence when disciplining learners.

PRINCIPLE 1.3 TEACHERS WORK WITHIN THE LIMITS OF THEIR PROFESSIONAL EXPERTISE

In fulfilling their role, teachers carry out a wide range of responsibilities. They support learners by knowing their strengths and the limits of their professional expertise.

Teachers

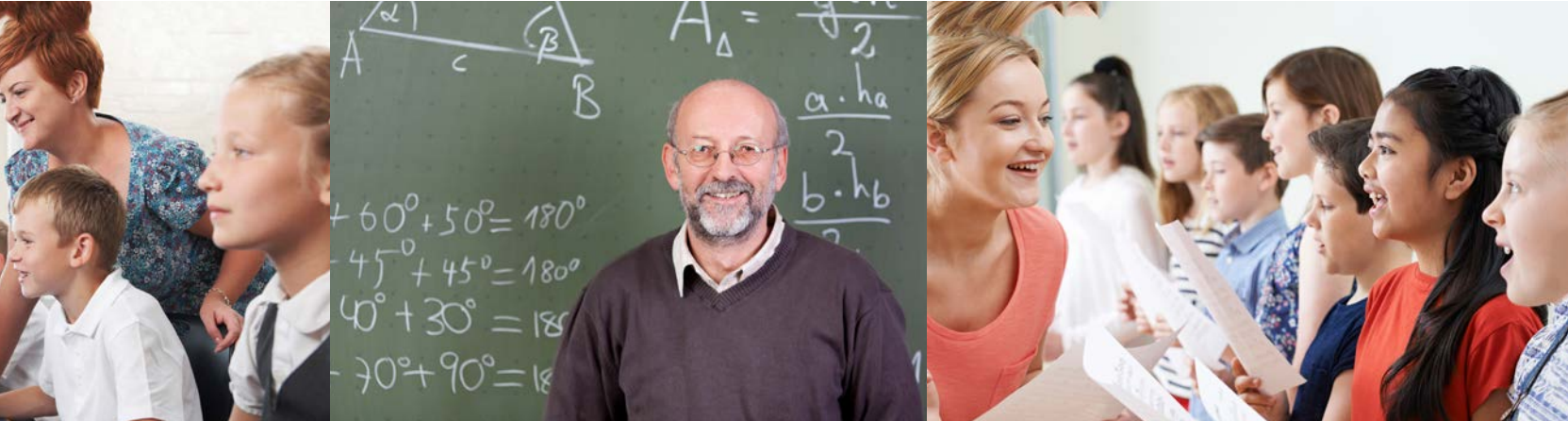
- seek to ensure they have the physical, mental and emotional capacity to carry out their professional responsibilities
- are aware of the role of other professionals and agencies as well as when learners should be referred to them for assistance
- are truthful when making statements about their qualifications and competencies.

PRINCIPLE 1.4 TEACHERS MAINTAIN OBJECTIVITY IN THEIR RELATIONSHIPS WITH LEARNERS

In their professional role, teachers do not behave as a friend or parent / carer.

They

- interact with learners without displaying bias or preference
- make decisions in learners' best interests
- do not draw learners into their personal agendas
- do not seek recognition at the expense of professional objectivity and goals.



PRINCIPLE 1.5 TEACHERS ARE ALWAYS IN A PROFESSIONAL RELATIONSHIP WITH THEIR LEARNERS, WHETHER AT THE EDUCATION SETTING WHERE THEY TEACH OR NOT

Teachers hold a unique position of influence and trust that should not be violated or compromised. They exercise their responsibilities in ways that recognise there are limits or boundaries to their relationships with learners. The following examples outline some of those limits.

A professional relationship **will** be violated if a teacher

- has a sexual relationship with a learner
- uses sexual innuendo or inappropriate language and / or material with learners
- touches a learner without a valid reason
- holds conversations of a personal nature or has contact with a learner via written / electronic means (including email, letters, telephone, text messages or chat lines) without a valid context
- accepts gifts, which could be reasonably perceived as being used to influence them, from learners or their parents / carers.

A professional relationship **may** be compromised if a teacher

- attends parties or socialises with learners
- invites a learner or learners back to their home, particularly if no-one else is present.

RELATIONSHIPS WITH PARENTS / CARERS, FAMILIES AND COMMUNITIES

PRINCIPLE 1.6 TEACHERS MAINTAIN A PROFESSIONAL RELATIONSHIP WITH PARENTS / CARERS

Teachers should be respectful of, and courteous to, parents and carers.

Teachers

- consider parents / carers' perspectives when making decisions which have an impact on the education or wellbeing of a learner
- communicate and consult with parents / carers in a timely, understandable and sensitive manner
- take appropriate action when responding to parental concerns.

PRINCIPLE 1.7 TEACHERS WORK IN COLLABORATIVE RELATIONSHIPS WITH LEARNERS' FAMILIES AND COMMUNITIES

Teachers recognise their learners come from a diverse range of cultural contexts, and seek to work collaboratively with learners' families and communities within those contexts.

RELATIONSHIPS WITH COLLEAGUES

PRINCIPLE 1.8 COLLEGIALITY IS AN INTEGRAL PART OF THE WORK OF TEACHERS

Teachers demonstrate collegiality by

- treating each other with courtesy and respect
- valuing the input of their colleagues
- using appropriate forums for constructive debate on professional matters
- sharing expertise and knowledge in a variety of collaborative contexts
- respecting different approaches to teaching
- providing support for each other, particularly those new to the profession
- sharing information relating to the wellbeing of learners.



Section 2 Personal conduct

PRINCIPLE 2.1 THE PERSONAL CONDUCT OF A TEACHER WILL HAVE AN IMPACT ON THE PROFESSIONAL STANDING OF THAT TEACHER AND ON THE PROFESSION AS A WHOLE

Although there is no definitive boundary between the personal and professional conduct of a teacher, it is expected that teachers will

- be positive role models in education settings and in the community
- respect the rule of law and provide a positive example in the performance of civil obligations
- not exploit their position for personal or financial gain
- ensure their personal or financial interests do not interfere with the performance of their duties
- act with discretion and maintain confidentiality when discussing workplace issues.

Section 3 Professional competence

PRINCIPLE 3.1 TEACHERS VALUE THEIR PROFESSIONALISM, AND SET AND MAINTAIN HIGH STANDARDS OF COMPETENCE

Teachers

- are knowledgeable in their areas of expertise
- are committed to pursuing their own professional learning
- complete their duties in a responsible, thorough and timely way.

PRINCIPLE 3.2 TEACHERS ARE AWARE OF THE LEGAL REQUIREMENTS THAT PERTAIN TO THEIR PROFESSION. IN PARTICULAR, THEY ARE COGNISANT OF THEIR LEGAL RESPONSIBILITIES IN RELATION TO

- discrimination, harassment and vilification
- negligence
- mandatory reporting
- privacy
- occupational health and safety
- teacher registration.



THE VICTORIAN TEACHING PROFESSION CODE OF ETHICS

As teachers, we use our expert knowledge to provide experiences that inspire and facilitate the learning of those we teach.

We are a significant force in developing a knowledgeable, creative, productive and democratic society. The values that underpin our profession are **integrity, respect** and **responsibility**.

We hold a unique position of trust and influence, which we recognise in our relationships with learners, parents / carers, colleagues and the community.

WE DEMONSTRATE OUR INTEGRITY BY

- acting in the best interest of learners
- maintaining a professional relationship with learners, parents / carers, colleagues and the community
- behaving in ways that respect and advance the profession.

WE DEMONSTRATE OUR RESPECT BY

- acting with care and compassion
- treating learners fairly and impartially
- holding our colleagues in high regard
- acknowledging parents and carers as partners in the education of their children.

WE DEMONSTRATE OUR RESPONSIBILITY BY

- providing quality teaching
- maintaining and developing our professional practice
- working cooperatively with colleagues in the best interest of our learners.

THE PURPOSE OF THIS CODE IS TO

- state the value that guides our practice and conduct
- enable us as a profession to affirm our public accountability
- promote public confidence in our profession.

The Code sets out the ideals to which we aspire.



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